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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,057	08/26/2003	Scott Haisley	34062-3	2955

7590 07/27/2005

Woodard, Emhardt, Moriarty, McNett & Henry LLP  
Bank One Center/Tower  
111 Monument Circle, Suite 3700  
Indianapolis, IN 46204-5137

EXAMINER
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PIERCE, WILLIAM M

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/648,057

Applicant(s)

HAISLEY, SCOTT

Examiner

William M. Pierce

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
WILLIAM M. PIERCE  
PRIMARY EXAMINER

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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#### **DETAILED ACTION**

##### ***Claim Rejections - 35 USC § 112***

Claims 23 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 23, "said base locking portion" and "said sleeve locking portion" and in claim 27, "the first diameter" lack a proper antecedent.

##### ***Claim Rejections - 35 USC § 102***

Claims 18, 19, 22, 23, 25-28, 30 and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Goldman 5,118,106.

While Goldman does not show the limitations of the base and the sleeve having an outer diameter that is substantially equal as called for in claims 1 and 32, claim 18 is broader and fails to recite such limitations. As such with respect to this claim Goldman shows a bowling ball hole 14, base 20 that is mountable in a hole that includes an integral coupling portion 40. Further shown is a sleeve 34 with an integral coupling portion 42. The sleeve and sleeve coupling portion are shown to have different heights. As to claim 19, shown are the members to be treaded 45 and rotatably engaging. As to claim 22, a first diameter on the sleeve is at 42 and a second diameter on the sleeve is at 34. As to claim 23, notches 46 are considered to be alignment indicators. By viewing these notches, a bowler is capable of determining the alignment of the sleeve to the base. Claim 25 is considered shown for the reasons set forth with respect to claim 22. The limitation of preventing the sleeve portion from rotating once engaged is accomplished by Goldman by an "overlocking washer" (col. 4, ln. 5). As to claims 26 and 31, the sleeve is manually tightened by notches 46. Claims 27 and 28 are considered shown for reasons set forth with respect to claim 22. Goldman shows the use of adhesives as called for in claim 30 (last line col. 2).

Claims 1-4, 8, 9, 12-14, 16-22, 25-28 and 31-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Lathrop as set forth in the previous office action.

While applicant has amended the claims to now recite "integral coupling portion", such does not distinguish over the applied art for the reasons advanced below in response to applicant's remarks.

##### ***Claim Rejections - 35 USC § 103***

Claims 5-7, 10, 11, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lathrop as set forth in the previous office action.

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While applicant has amended the claims to now recite "integral coupling portion", such does not distinguish over the applied art for the reasons advanced below in response to applicant's remarks.

Claims 15, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lathrop in view of Seyler 4,247,102.

Seyler teaches that it would have been obvious to have include marks on the insert and ball of Lathrop such as his 30 in order to properly align the insert in the hole of the ball.

### ***Response to Arguments***

Applicant's arguments filed 4/22/05 have been fully considered but they are not persuasive.

At the bottom of pg. 8, applicant remarks that "bore 22 and bore 44 are not matingly engaged". Apparently the reason for such an argument is due to the amendments to the claims that now calls for "integral" coupling portions. However, the ordinary meaning of "integral" is to be "composed of integral parts" or "formed as a unit with another part" (Merriam Webster's Collegiate Dictionary 11<sup>th</sup> ed. 2003). As such the examiner's position that Lathrop shows a sleeve with an integral threaded portion remains as part of the rejection of the claims.

While not part of the instant rejection or argument, the examiner has considered well known case law that it is old and well known to make something made of parts one piece or integral. However, such does not provide sufficient motivation to modify Lathrop since his screw must be capable of being turned independently of his sleeve. If one were to rotate the sleeve and screw of Lathrop together as a unit then his apparatus would not function properly since guide pin 24 could not be properly positioned.

Applicant's arguments with respect to claims 18, 25 and 32 are the same as those presented for claim 1 and the examiner's position with respect to these claims is set forth above.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication and its merits should be directed to William Pierce at E-mail address [bill.pierce@USPTO.gov](mailto:bill.pierce@USPTO.gov) or at telephone number (571) 272-4414.

For **official fax** communications to be officially entered in the application the fax number is (703) 872-9306.

For **informal fax** communications the fax number is (703) 308-7769.

Any inquiry of a general nature or relating to the **status** of this application or proceeding can also be directed to the receptionist whose telephone number is (703) 308-1148.

Any inquiry concerning the **drawings** should be directed to the Drafting Division whose telephone number is (703) 305-8335.



**WILLIAM M. PIERCE**  
**PRIMARY EXAMINER**